Florida Senate - 2004

By Senator Smith

14-1572-04 See HJR 659 1 Senate Joint Resolution No. ___ 2 A joint resolution proposing an amendment to Section 4 of Article VI and the creation of 3 4 Section 26 of Article XII of the State Constitution, relating to limitations on the 5 6 number of consecutive years during which 7 certain elected constitutional officers may hold office before being denied the right to 8 9 have their names appear on the ballot. 10 Be It Resolved by the Legislature of the State of Florida: 11 12 That the following amendment to Section 4 of Article VI 13 and the following creation of Section 26 of Article XII of the 14 State Constitution are agreed to and shall be submitted to the 15 electors of this state for approval or rejection at the next 16 17 general election or at an earlier special election specifically authorized by law for the purpose: 18 19 ARTICLE VI 20 SUFFRAGE AND ELECTIONS 21 SECTION 4. Disqualifications.--22 (a) No person convicted of a felony, or adjudicated in 23 this or any other state to be mentally incompetent, shall be qualified to vote or hold office until restoration of civil 24 25 rights or removal of disability. (b) No person may appear on the ballot for re-election 26 27 to any of the following offices: 28 (1) Florida representative, 29 (2) Florida senator, or 30 (3) Florida Lieutenant governor, 31 (4) any office of the Florida cabinet, 1

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1 (5) U.S. Representative from Florida, or 2 (6) U.S. Senator from Florida 3 if, by the end of the current term of office, the person will 4 5 have served (or, but for resignation, would have served) in б that office for twelve eight consecutive years. 7 (c) No person may appear on the ballot for re-election 8 to the office of Florida lieutenant governor if, by the end of 9 the current term of office, the person will have served (or, 10 but for resignation, would have served) in that office for 11 eight consecutive years. ARTICLE XII 12 13 SCHEDULE 14 SECTION 26.--The amendment to Section 4 of Article VI 15 denying ballot access for re-election to any state legislator or cabinet officer who will have served (or, but for 16 17 resignation, would have served) in that office for 12 consecutive years, rather than 8 consecutive years, shall take 18 19 effect upon approval by the voters and shall apply only to 20 those officers whose consecutive years in office begin in November 2004 or thereafter. 21 22 BE IT FURTHER RESOLVED that the following statement be 23 placed on the ballot: 24 CONSTITUTIONAL AMENDMENT ARTICLE VI, SECTION 4 25 ARTICLE XII, SECTION 26 26 27 TERM LIMITS. -- Proposing an amendment to the State 28 Constitution to increase, from 8 to 12, the number of 29 consecutive years a state legislator or any Cabinet officer may serve in that office before being denied the right to have 30 31 his or her name appear on the ballot for re-election to that 2

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1	office; applies to those officers whose consecutive years in
2	office begin in November 2004 or thereafter; removes
3	provisions that apply term limits by means of ballot access to
4	members of Congress, which the United States Supreme Court has
5	determined violate the Federal Constitution.
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